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10/791,961

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EXAMINER

MCCORMICK, GABRIELLE A

ART UNIT

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3629

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/791,961	Applicant(s) MEYER, ALLEN W.	
	Examiner GABRIELLE MCCORMICK	Art Unit 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-13,15-25 and 27-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-13,15-25 and 27-31 is/are rejected.
- 7) ☒ Claim(s) 4, 11, 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is in reply to the amendment filed on May 12, 2008.
2. Claims 1, 4, 6, 8, 11-13, 17-18, 22, 24-25, 27 and 19 have been amended.
3. Claims 5, 14 and 26 have been canceled.
4. Claims 1-4, 6-13, 15-25 and 27-31 are currently pending and have been examined.

Claim Objections

5. Claims 11 and 12 are objected to for inaccurate use of trademarks and registrations. In claim 11, Excel® is not a trademarked properly. In claim 12, Windows® is not trademarked. Further, the Examiner directs the Applicant to <http://www.microsoft.com/library/toolbar/3.0/trademarks/en-us.mspx> where a current list of Microsoft registrations and trademarks are provided. The Examiner withdraws to requirement to identify Word and Project with trademarks.
6. Claim 4 is objected to for improper dependency. The claim was amended to be dependent from itself. For purposes of examination, the claim will be construed to be dependent from claim 3.

Previous Claim Rejections - 35 USC § 112

7. The rejections of claims 1-4, 6-12, 22, 25 and 29-31 under 35 U.S.C. 112, second paragraph, as being indefinite is withdrawn as a result of Applicant's amendment. The Examiner thanks the Applicant.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 1-4, 6-12 and 29-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Spain (US Pat. No. 6,056,195), in view of Rhodes (US Pub. No. 2004/0153969) in view of Hoffman (US Pat. No. 5,682,695) in view of Riley et al. (US Pub. No. 2002/0073168, hereinafter referred to as "Riley").
10. **Claims 1, 2, 6, 7, 8, 10 and 29:** Spain discloses
- *capturing discrete portions of information with a computer keyboard; (C2; L46-53 and Fig. 1A; includes textual description)*
 - *generating a note from each of the discrete portions of information each note includes visually perceptible note information and a duplicate computer readable symbology of the note information; (Fig. 1A)*
 - *printing the note (C3; L33-35)*
11. Spain does not disclose *printing the notes on Post-It note media; moving the notes to a selected repository; organizing the notes in the selected repository to obtain organized notes; scanning each of the computer readable symbologies on each of the organized notes to obtain note information or placing the note information into one or more selected computer software applications.*
12. Rhodes discloses a note taking system that incorporates information captured from the event (i.e., a meeting; P[0023]) that a user would like to integrate with the user's notes. (Abstract). Information can be captured by scanning barcodes printed on paper notes to access electronic information corresponding to the barcode. The information is output to the user's device.

(P[0121]). The user's note taking device is used to read a barcode. (P[0050]). The system allows a user to capture information to integrate (i.e., place into a selected computer application) with the user's notes. (P[0041], [0123-0124] and Fig. 6B).

13. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the use of the printed barcode labels in a meeting environment, as disclosed by Rhodes in the system disclosed by Spain, for the motivation of providing an additional use of barcoded labels. It is obvious that the system of Rhodes relies on barcoding technology to create the barcodes associated with the electronic content. Therefore, it is obvious that the systems of Spain and Rhodes can be combined to create barcoded labels for corresponding to work papers associated with a meeting environment.
14. Hoffman discloses using a bulletin board, easel or clipboard for organizing notes that are removably affixed to provide an interactive function. (C1; L6-13). Hoffman also discloses that a pre-printed panel including an hourly schedule grid (C4; L48-52) and that the invention is used for scheduling and project management (C5; L7-11). Thus, Hoffman's system provides for placing the notes in a desired order. It is obvious that dependencies and numbering would be utilized as this would be part of maintaining either a schedule or managing a project.
15. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included organizing notes on a clipboard, as disclosed by Hoffman, in the system of Rhodes for the motivation of providing a means of presenting information in a meeting. Rhodes is directed toward information gathering during meetings, presentations and conferences (P[0023]). It is obvious that a board such as disclosed by Hoffman would be used as a presentation medium where the displayed information is organized for each of comprehension.
16. Riley discloses barcodes printed on Post-Its and read. (P[0017]).
17. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included printed Post-Its, as disclosed by Riley, in the system of Hoffman for the motivation of providing information for display on the clipboard.

18. Further, it would have been obvious to one of ordinary skill in the art to combine barcode labeling as taught by Spain, information capture by scanning and placing the information into computer software as taught by Rhodes, printing on Post-Its as taught by Riley and organization of Post-Its in a repository as taught by Hoffman since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.
19. **Claims 3, 4, 30 and 31:** Spain does not disclose computer connected to the Internet, however, the Examiner takes **Official Notice** that the Internet is old and well known. It is obvious to connect a plurality of computers via a network such as the Internet in order to share resources, such as printers and information.
20. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the Internet in the system disclosed by Spain, for the motivation of providing remote users with a means of having bar code labels printed. For example, a remote user could send an e-mail via the Internet with instructions regarding bar coded labels to be generated.
21. **Claim 9:** Spain does not disclose displaying a computer image of the notes on a screen.
22. Rhodes, however, discloses video information capture device for capturing output from a projector. (P[0030] and Fig. 6B).
23. It would have been obvious to one of ordinary skill in the art to combine barcode labeling as taught by Spain, with video information capture as taught by Rhodes since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.
24. **Claims 11 and 12:** Spain discloses that the computer uses WINDOWS (C4; L17), but does not disclose EXCEL, Word or Project, however, it is obvious to expand Spain to include specific software applications because these applications are old and well known for storing data. Spain

would be motivated to use Word to store various text (i.e., note information) that is used to generate barcodes that are routinely used.

25. **Claims 13, 15, 16 and 19-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Spain (US Pat. No. 6,056,195), in view of Rhodes (US Pub. No. 2004/0153969)
26. **Claims 13, 15, 16, 19, 20, 23 and 24:** Spain discloses
- *a computer keyboard and a processor (C2; L46-53)*
 - *receiving discrete portions of information using the input device and formatting each of the discrete portions of information as an output, wherein each output includes a visually perceptible version of each discrete portion of the information and a computer readable symbology of each discrete portion of the information (Fig. 1A; comprises alpha-numeric text).*
27. Spain further discloses a printer. (C4; L5).
28. Spain does not disclose *a meeting; an input device or two-dimensional barcoding.*
29. Rhodes discloses a note taking system that incorporates information captured from the event (i.e. a meeting) that a user would like to integrate with the user's notes. (Abstract). Information can be captured by scanning barcodes printed on paper notes to access electronic information corresponding to the barcode. The information is output to the user's device. (P[0121]). The user's note taking device is used to read a barcode. (P[0050]). The system allows a user to capture information to integrate (i.e., place into a selected computer application) with the user's notes. (P[0041], [0123-0124] and Fig. 6B).
30. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the use of the printed barcode labels in a meeting environment, as disclosed by Rhodes in the system disclosed by Spain, for the motivation of providing an additional use of barcoded labels. It is obvious that the system of Rhodes relies on barcoding technology to create the barcodes associated with the electronic content. Therefore, it is obvious

that the systems of Spain and Rhodes can be combined to create barcoded labels for a meeting environment.

31. Spain discloses selecting a bar code standard from a plurality of bar code standards (C3; L5-7), therefore, it is obvious that a two-dimensional standard would be available for selection because it is an old and well known major barcoding symbology.
32. **Claims 21 and 22:** Spain discloses a computer (Fig. 2A) but not a network, however, the Examiner takes **Official Notice** that the Internet is old and well known. It is obvious to connect a plurality of computers via a network such as the Internet in order to share resources, such as printers and information.
33. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the Internet in the system disclosed by Spain, for the motivation of providing remote users with a means of having bar code labels printed. For example, a remote user could send an e-mail via the Internet with instructions regarding bar coded labels to be generated.
34. **Claims 17, 25 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Spain (US Pat. No. 6,056,195), in view of Rhodes (US Pub. No. 2004/0153969) in view of Riley et al. (US Pub. No. 2002/0073168, hereinafter referred to as "Riley").
35. **Claim 17:** Spain/Rhodes does not disclose a printed Post-It note.
36. Riley discloses barcodes printed on Post-Its and read. (P[0017]).
37. Therefore, it would have been obvious to one of ordinary skill in the art to combine barcode labeling as taught by Spain, information capture by scanning and placing the information into computer software as taught by Rhodes and printing on Post-Its as taught by Riley since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

- 38. Claims 25 and 28:** Spain discloses a printer and a computer (Fig. 2A) for generating labels having text and associated barcode (Fig. 1A). Spain does not disclose a computer network, a plurality of computers, Post-It note media or a scanner.
- 39.** Rhodes discloses a note taking system that incorporates information captured from the event (i.e. a meeting) that a user would like to integrate with the user's notes. (Abstract). Information can be captured by scanning barcodes printed on paper notes to access electronic information corresponding to the barcode. The information is output to the user's device. (P[0121]). The user's note taking device is used to read a barcode. (P[0050]). The system allows a user to capture information to integrate (i.e., place into a selected computer application) with the user's notes. (P[0041], [0123-0124] and Fig. 6B). Rhodes further discloses a video information capture device for capturing output from a projector. (P[0030] and Fig. 6B).
- 40.** Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the use of the printed barcode labels in a meeting environment, as disclosed by Rhodes in the system disclosed by Spain, for the motivation of providing an additional use of barcoded labels. It is obvious that the system of Rhodes relies on barcoding technology to create the barcodes associated with the electronic content. Therefore, it is obvious that the systems of Spain and Rhodes can be combined to create barcoded labels for a meeting environment.
- 41.** Riley discloses barcodes printed on Post-Its and read. (P[0017]).
- 42.** Therefore, it would have been obvious to one of ordinary skill in the art to combine barcode labeling as taught by Spain, information capture by scanning and placing the information into computer software as taught by Rhodes and printing on Post-Its as taught by Riley since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

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43. The Examiner takes **Official Notice** that the Internet is old and well known. It is obvious to connect a plurality of computers via a network such as the Internet in order to share resources, such as printers and information.
44. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the Internet in the system disclosed by Spain, for the motivation of providing remote users with a means of having bar code labels printed. For example, a remote user could send an e-mail via the Internet with instructions regarding bar coded labels to be generated.
45. **Claims 18 and 27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Spain (US Pat. No. 6,056,195), in view of Rhodes (US Pub. No. 2004/0153969) in view of) Riley et al. (US Pub. No. 2002/0073168, hereinafter referred to as "Riley") in view of Hoffman (US Pat. No. 5,682,695).
46. **Claims 18 and 27:** Spain/Rhodes/Riley does not disclose a flip chart for receiving Post-It notes.
47. Hoffman discloses using a bulletin board, easel or clipboard for organizing notes that are removably affixed to provide an interactive function. (C1; L6-13).
48. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included organizing notes on a clipboard, as disclosed by Hoffman, in the system of Rhodes for the motivation of providing a means of presenting information in a meeting. Rhodes is directed toward information gathering during meetings, presentations and conferences (P[0023]). It is obvious that a board such as disclosed by Hoffman would be used as a presentation medium where the displayed information is organized for each of comprehension.

Response to Arguments

49. Applicant's arguments with respect to claims 1, 13, 25, 29 and 17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabrielle McCormick whose telephone number is (571)270-1828. The examiner can normally be reached on Monday - Thursday (5:30 - 4:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/G. M./
Examiner, Art Unit 3629

/John G. Weiss/
Supervisory Patent Examiner, Art Unit 3629